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9 UNITED STATES DISTRICT COURT
10 CENTRAL DISTRICT OF CALIFORNIA
11 WESTERN DIVISION
12

13 United States of America,	}	Case No. EDCV 10-00650-VAP-(FFMx)
14 Petitioner,		Order to Show Cause
15 vs.		
16 Carl Schweiger,		
17 Respondent.		
18	}	

19
20 Based upon the Petition and supporting Memorandum of Points and
21 Authorities, and the supporting Declaration, the Court finds that Petitioner has
22 established a *prima facie* case for judicial enforcement of the subject Internal
23 Revenue Service (IRS) summons. See United States v. Powell, 379 U.S. 48, 57-58,
24 85 S.Ct. 248, 255, 13 L.Ed.2d 112, 119 (1964).

25 Therefore, **IT IS ORDERED** that Respondent appear before this District
26 Court of the United States for the Central District of California, at the following
27 address, at the time and date specified below, and show cause why the
28

1 production of books, papers, records, and other data demanded in the subject IRS
2 summonses should not be compelled:

3 Date: Monday, June 14, 2010

4 Time: 2:00 p.m.

5 Courtroom: Two

6 Address: ☐ United States Courthouse

7 312 North Spring Street, Los Angeles, California, 90012

8 ☐ Roybal Federal Building and United States Courthouse

9 255 E. Temple Street, Los Angeles, California, 90012

10 ☐ Ronald Reagan Federal Building and United States Courthouse

11 411 West Fourth Street, Santa Ana, California, 92701

12 ☒ Brown Federal Building and United States Courthouse

13 3470 Twelfth Street, Riverside, California, 92501
14

15 **IT IS FURTHER ORDERED** that copies of the following documents be served
16 on Respondent by personal delivery, by leaving a copy at Respondent's dwelling
17 or usual place of abode with someone of suitable age and discretion who resides
18 there, or by certified mail:

19 1. This Order; and

20 2. The Petition, Memorandum of Points and Authorities, and accompanying
21 Declaration.

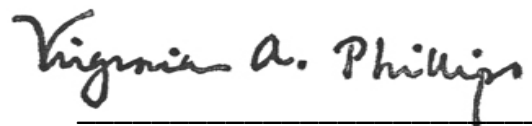
22 Service may be made by any employee of the IRS or the United States Attorney's
23 Office.

24 **IT IS FURTHER ORDERED** that within ten (10) days after service upon
25 Respondent of the herein described documents, Respondent shall file and serve a
26 written response, supported by appropriate sworn statements, as well as any
27 desired motions. If, prior to the return date of this Order, Respondent files a
28 response with the Court stating that Respondent does not oppose the relief

sought in the Petition, nor wish to make an appearance, then the appearance of Respondent at any hearing pursuant to this Order to Show Cause is excused, and Respondent shall comply with the summons within ten (10) days thereafter.

IT IS FURTHER ORDERED that all motions and issues raised by the pleadings will be considered on the return date of this Order. Only those issues raised by motion or brought into controversy by the responsive pleadings and supported by sworn statements filed within ten (10) days after service of the herein described documents will be considered by the Court. All allegations in the Petition not contested by such responsive pleadings or by sworn statements will be deemed admitted.

DATED: May 04, 2010

A handwritten signature in black ink that reads "Virginia A. Phillips". The signature is written in a cursive, flowing style. Below the signature is a solid horizontal line.

HONORABLE VIRGINIA A. PHILLIPS
UNITED STATES DISTRICT JUDGE

Respectfully submitted,

ANDRÉ BIROTTE JR.
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Chief, Tax Division

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